

October 27, 2006

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By:

Nancy Foster

PATENT

Customer Number: 22,852

Attorney Docket No. 04121.0116-07000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Holly HOGREFE et al.

Application No.: 09/631,613

Filed: August 4, 2000

For: POLYMERASE ENHANCING
FACTOR (PEF) EXTRACTS, PEF
PROTEIN COMPLEXES, ISOLATED
PEF PROTEINS, AND METHODS
FOR PURIFYING AND
IDENTIFYING THEM

Group Art Unit: 1637

Examiner: Cynthia B. WILDER

Confirmation No. 6689

MAIL STOP AMENDMENT

Commissioner for Patents
P.O. Box 1450
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Sir:

SUPPLEMENTAL INFORMATION DISCLOSURE
STATEMENT UNDER 37 C.F.R. § 1.97(c)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(c), applicants bring to the attention of the Examiner the documents listed on the enclosed IDS Form PTO/SB/08. This Information Disclosure Statement is being filed after the events recited in Section 1.97(b) but, to the undersigned's knowledge, before the mailing date of a Final Office Action, a Notice of Allowance, or an action that otherwise closes prosecution. Under the provisions of 37 C.F.R. § 1.97(c), this Information Disclosure Statement is accompanied by a fee of \$180.00 as specified by Section 1.17(p).

Copies of certain listed foreign and non-patent literature documents are enclosed. Copies of the U.S. patent publications are not enclosed.

Certain listed documents are of record in prior U.S. Patent Application No. 08/957,709, filed October 24, 1997, upon which applicants rely for the benefits provided in 35 U.S.C. § 120, and accordingly copies are not enclosed.

Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the enclosed form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and applicants determine that the cited documents do not constitute "prior art" under United States law, applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.

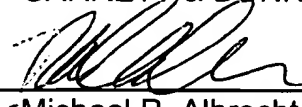
Applicants further reserve the right to take appropriate action to establish the patentability of the claimed invention over the listed documents should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: October 27, 2006

By:  Reg. No. 47,057
for Michael R. Albrecht
Reg. No. 54,956
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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

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of

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Application Number

09/631,613

Filing Date

August 4, 2000

First Named Inventor

Holly HOGREFE et al.

Art Unit

1637

Examiner Name

C. WILDER

Attorney Docket Number

04121.0116-07000

U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS

Examiner Initials	Cite No. ¹	Document Number	Issue or Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		US-4,376,110	03-08-1983	David et al.	
		US-4,683,202	07-28-1987	Mullis	
		US-4,795,699	01-03-1989	Tabor et al.	
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		US-4,946,786	08-07-1990	Tabor et al.	
		US-5,001,050	03-19-1991	Blanco et al.	
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		US-5,262,529	11-16-1993	Dryja et al.	
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IDS Form PTO/SB/08: Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known	
				Application Number	09/631,613
				Filing Date	August 4, 2000
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				Art Unit	1637
				Examiner Name	C. WILDER
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		US-6,410,277 B1	06-25-2002	Barnes	
		US-6,444,428 B1	09-03-2002	Hogrefe	

Note: Submission of copies of U.S. Patents and published U.S. Patent Applications is not required.

FOREIGN PATENT DOCUMENTS							
Examiner Initials	Copy Encl.*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Translation ⁶
			Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
	Y		DE 196 12779 A1	10-02-1997	Boehringer Mannheim GmbH		
	Y		EP 0 265 293 B1	04-27-1988	President and Fellows of Harvard College		
	Y		EP 0 386 857 B1	09-12-1990	President and Fellows of Harvard College		
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NON PATENT LITERATURE DOCUMENTS					
Examiner Initials	Copy Encl.*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.		Translation ⁶
	N		Albrecht et al., Swiss-Prot accession number Q01034, April 1, 1993.		
	Y		Anonymous, "Recombinant Vent _R TM DNA Polymerase," <i>The Neb Transcript</i> , Vol. 3, No. 1, page 4 (1991).		
	Y		Attachment for 20XSSC - cDNA Hybridization protocol using GeneTac Hybridization Unit		

* Copies that are not enclosed were previously submitted by the applicants or cited by the Examiner or are U.S. Patents or published applications.

IDS Form PTO/SB/08: Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Complete if Known		
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				Examiner Name		C. WILDER
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	N		Bork, "Powers and Pitfalls in Sequence Analysis: The 70% Hurdle," <i>Genome Research</i> , 10:398-400 (2000).	
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Sheet	4	of	5	Attorney Docket Number	04121.0116-07000

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NON PATENT LITERATURE DOCUMENTS				
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	N		GenBank Accession Number U62891 and AAC51123.	
	Y		Amendment filed June 9, 2006, in U.S. Patent Application No. 08/957,709, filed October 24, 1997.	
	Y		Office Action mailed August 24, 2006, in U.S. Patent Application No. 08/957,709, filed October 24, 1997.	
	Y		Office Action mailed June 2, 2006, in U.S. Patent Application No. 10/738,917, filed December 16, 2003.	

Examiner Signature		Date Considered	
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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